

From the Upper Chamber



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Report for Friday, March 24, 2006

The thirty-seventh day of the 2006 legislative session was called to order by Lieutenant Governor **Mark Taylor**.

Senator **Don Thomas** of the 54th stated that the journal had been read and was found to be correct.

Senate Resolution 1282 and House Bills 1628, 1635 and 1636 were read for the first time and assigned to their respective Committees.

Following the reports of Standing Committees and the second reading of Bills and Resolutions, Lt. Gov. **Taylor** dispensed with the morning roll call.

Lt. Gov. **Taylor** recognized Sen. **John Wiles** of the 37th to lead the Senate in the Pledge of Allegiance. Sen. **Wiles** then introduced the *Chaplain of the Day*, Pastor **Richard Kidd** of Lake Pointe Church in Acworth, who led the Senate in the daily devotional.

There were no unanimous consents or Points of Personal Privilege.

Privileged Resolutions 1285-1289 were read and adopted.

The Local Consent Calendar, consisting of SB 663 and HB 831, 860, 1208, 1428, 1429, 1544, 1545, 1600, 1620, 1626, 1627, 1629 and 1630, was adopted by a vote of 46 to 0.

Sen. **Bill Hamrick** of the 30th moved that HB 1059 be engrossed.

Sen. **David Adelman** of the 42nd objected to the motion to engross.

Sen. **Hamrick** took the well to speak to his motion to engross HB 1059, relating to the punishment and registration requirements of sexual offenders.

Sen. **Adelman** took the well to speak against the engrossment of HB 1059.

The motion to engross HB 1059 was adopted by a vote of 32-19.

Sen. **Casey Cagle** of the 49th took the well to engross HB 1320, 111, 1249, 194, 1361, 834 and 1244.

Sen. **Don Balfour** of the 9th objected to the engrossment of HB 1320, relating to littering and related environmental offenses.

Sen. **Cagle** took the well to speak to his motion to engross HB 1320, 111, 1361, 834 and 1244.

Sen. **Balfour** took the well to speak against the engrossment of HB 1320.

Sen. **George Hooks** of the 14th took the well to speak against the engrossment of HB 1320.

Sen. **Cagle** withdrew his motion to engross HB 1320 and moved to drop HB 1320 to the foot of the calendar. Without objection, the motion carried.

Sen. **Adelman** took the well to speak against the engrossment of HB 111.

The motion to engross HB 111 was adopted by a vote of 34 to 19.

Sen. **Adelman** objected to the engrossment of HB 1361 and returned to the well to speak against the engrossment of the bill.

The motion to engross HB 1361 was adopted by a vote of 33 to 20.

Sen. **Adelman** objected to the engrossment of HB 834.

The motion to engross HB 1361 was adopted by a vote of 33 to 18.

Sen. **Adelman** objected to the engrossment of 1244.

The motion to engross HB 1244 was adopted by a vote of 33 to 18.

The Secretary read SR 1279, commending Mr. **Douglas Harrell**. Sen. **John Bulloch** of the 11th was recognized to speak to the resolution.

Majority Leader **Tommie Williams** of the 19th recognized **Misty Collins** of Wheeler County High School and a student group of future educators, who were present in the gallery.

HB 379 was read, which provides that a member of a retirement system employed on or after July 1, 2006, who has an impairment which prevents him or her from performing duties held at the onset of the impairment shall not be entitled to receive a disability allowance unless his or her employer certifies that there is no available position comparable

in compensation which such employee is capable of performing. Sen. **Bill Heath** of the 31st took the well to explain the legislation.

The Committee Substitute was adopted by a vote of 35 to 0.

HB 379 passed by substitute by a vote of 48 to 1.

The Secretary read HB 1145. The bill provides clarity regarding the determination of mental competency of juveniles during trials. Sen. **Brian Kemp** of the 46th took the well to urge support for the legislation.

Sen. **Hamrick** took the well to speak to Amendment 1, which gives the juvenile court judge more authority in determining the sentencing of juveniles who commit murder.

Amendment 1 was adopted by a vote of 33 to 0.

The Committee Substitute was adopted by a vote of 30 to 0.

HB 1145 passed by substitute as amended by a vote of 50 to 0.

HB 1305 was read. The bill provides a more transparent way to manage the Seed-Capital Fund. Sen. **Ronnie Chance** of the 16th took the well to explain the legislation and urge its support. He yielded to questions from Sen. **Regina Thomas** of the 2nd.

HB 1305 passed by a vote of 47 to 1.

The Secretary then read HR 1306, which proposes an amendment to the Constitution regarding the use of eminent domain. The amendment would require that the condemnation of property for redevelopment purposes be approved by a vote of the elected governing authority of the county or city in which the property is located and restrict the use of eminent domain for redevelopment purposes. Sen. **Balfour** took the well to explain the legislation and urge support for the legislation.

Sen. **Chip Rogers** of the 21st took the well to speak to Amendment 1, which replaces “redevelopment purposes except to eliminate harm to a community from blighted property” with “public use” on the ballot. Amendment 1 would still include the use of eminent domain for the redevelopment of blighted areas. He yielded to questions from Sen. **Balfour**.

Sen. **Jeff Chapman** of the 3rd took the well to speak to Amendment 2, which incorporates language into the proposed constitutional amendment that would prohibit the use of eminent domain for economic development. He yielded to questions from Senators **Balfour**, **Renee Unterman** of the 45th, **Preston Smith** of the 52nd, **Dan Weber** of the 40th, **Emanuel Jones** of the 10th and **Ross Tolleson** of the 20th.

Sen. **Wiles** was then recognized to introduce the *Doctor of the Day*, Dr. **Bob Harper** of Marietta.

Sen. **Wiles** took the well to speak in favor of Amendment 2 and to illustrate the Founding Fathers' intent for eminent domain. He yielded to questions from Sen. **Balfour**.

Sen. **Weber** took the well to speak against Amendment 2 and to voice support for the rights of local government.

Sen. **Balfour** returned to the well to speak in favor of Amendment 1 and against Amendment 2 and to close the debate on HR 1306.

Amendment 1 was adopted by a vote of 43 to 0.

Amendment 2 failed by a vote of 25 to 27.

HR 1306 as amended was adopted by a vote of 52 to 2.

The Secretary then read HB 1313, which provides for the comprehensive revision of provisions regarding eminent domain. Sen. **Balfour** took the well to explain the legislation and to urge support for the legislation.

Sen. **Jones** took the well to present Amendment 1, which would allow for compensation for loss of goodwill as a result of relocating a business or farm operation. He yielded to questions from Sens. **Smith** and **Gloria Butler** of the 55th.

Sen. **Cagle** took the well to present Amendment 2, which provides that if an owner has not taken positive steps within one year of a natural catastrophe to protect their property, then the property would be subject to condemnation. He also presented Amendment 3, which changes a portion of the definition of "public use" to read "and enjoyment" instead of "or enjoyment".

Sen. **Vincent Fort** of the 39th took the well to present Amendment 4, which requires transmission line companies to return property after 5 years if it has not been used.

Sen. **Jones** took the well to present Amendment 5, which requires the condemnor to offer alternative property as partial compensation.

Sen. **Wiles** took the well to speak to the amendments and urge passage of the bill. He yielded to questions from Sen. **Unterman**.

Sen. **Unterman** took the well to speak to the bill as it relates to power lines.

Sen. **Fort** moved to withdraw Amendment 4. Without objection, it was withdrawn. He then took the well to present Amendment 6 in lieu of Amendment 4. He yielded to questions from Sen. **Unterman**, **Robert Brown** of the 26th and **Butler**.

Sen. **Balfour** returned to the well to close the debate on the bill. He yielded to questions from Sens. **Unterman**, **Fort** and **Steve Henson** of the 41st.

Amendment 1a was adopted by a vote of 46 to 0.

Amendment 1 was adopted by a vote of 50 to 1.

Amendment 2 was adopted by a vote of 45 to 5.

Amendment 3 was adopted by a vote of 46 to 0.

Amendment 5 was adopted by a vote of 45 to 0.

Amendment 6 failed by a vote of 15 to 35.

The Committee Substitute was adopted by a vote of 49 to 1.

HB 1313 passed by substitute as amended by a vote of 53 to 0.

HB 513 was read and Sen. **Jeff Mullis** of the 53rd took the well to present the bill, which requires the furnishing of drivers' licenses and certain records to the Georgia Bureau of Investigation.

Amendment 1 was adopted by a vote of 29 to 0.

HB 513 passed as amended by a vote of 49 to 0.

Sen. **Doug Stoner** of the 6th moved that the Senate disagree to the House Amendment to SB 209.

By a vote of 46 to 0, the Senate disagreed.

Sen. **Mitch Seabaugh** of the 28th moved that the Senate adhere to the Senate position to HB 173 and that a Conference Committee be appointed. Without objection, the Senate adhered and Sens. **Seabaugh, Chance** and **Jim Whitehead, Sr.** of the 24th were appointed to the Conference Committee.

Sen. **Seabaugh** moved that the Senate adhere to the Senate position to HB 1032 and that a Conference Committee be appointed. Without objection, the Senate adhered and Sens. **Seabaugh, Rogers** and **Wiles** were appointed to the Conference Committee.

Sen. **David Shafer** of the 48th moved that the Senate insist on its position to HB 1257. Without objection, the Senate insisted.

Sen. **Smith** moved that the Senate adhere to the Senate position to HB 912 and that a Conference Committee be appointed. Without objection, the Senate adhered and Sens. **Seabaugh, Rogers** and **Wiles** were appointed to the Conference Committee.

HB 1358 was read and Sen. **Dan Moody** of the 56th took the well to present the bill, which provides for a class size reduction under the *Quality Basic Education Act*. He yielded to questions from Sens. **Thomas** of the 2nd and **Terrell Starr** of the 44th.

Sen. **Butler** took the well to speak in support of the bill.

Sen. **Horacena Tate** of the 38th took the well to also support the legislation.

HB 1358 passed by a vote of 50 to 0.

Sen. **Wiles** moved that the Senate adhere to the Senate position to HB 81 and that a Conference Committee be appointed. Without objection, the Senate adhered and Sens. **Kasim Reed** of the 35th, **Chance** and President Pro Tempore **Eric Johnson** of the 1st were appointed to the Conference Committee.

HB 1372 was read and Sen. **Ralph Hudgens** of the 47th took the well to present the bill, which relates to employees' insurance and benefit plans, so as to provide for mechanisms for termination of coverage for nonpayment of premium.

Sen. **Jack Hill** of the 4th took the well to present Amendment 1, which provides an exemption from the eight-year service requirement for correctional officers injured by inmate violence

Sen. **Michael Meyer von Bremen** of the 12th took the well to present Amendment 2, which adds two additional members to the Board of Community Health.

Sen. **Hudgens** returned to the well to support both amendments and close debate on the bill.

Amendment 1 was adopted by a vote of 39 to 0.

Amendment 2 was adopted by a vote of 43 to 0.

The Committee Substitute was adopted by a vote of 41 to 0.

HB 1372 passed by substitute as amended by a vote of 51 to 0.

Sen. **Williams** moved that the Senate confirm the list of Governor's appointees.

By a vote of 50 to 0, the appointees were confirmed.

HB 111 was read and Sen. **Heath** took the well to present the bill, which changes certain definitions regarding sales and use taxes.

The Committee Substitute was adopted by a vote of 42 to 4.

HB 111 passed by substitute by a vote of 49 to 1.

The Secretary read HB 1373, which repeals the creation of the Budgetary Responsibility Oversight Committee. Sen. **Hill** of the 4th took the well to present the bill.

The Committee Substitute was adopted by a vote of 35 to 0.

HB 1373 passed by substitute by a vote of 34 to 0.

HB 1059 was then read and Sen. **Hamrick** took the well to present the bill, which provides for a comprehensive revision of sexual offender laws in Georgia. Sen. **Hamrick** presented Sections 1-22 dealing with the various offenses and penalties. Sen. **Wiles** presented the remaining portions of the bill dealing with registration of sexual offenders. Sen. **Wiles** yielded to questions from Sens. **Steen Miles** of the 43rd, **Tate**, and **Hudgens**.

Sen. **Thomas** of the 2nd took the well to speak to the unintended consequences of the bill. She yielded to questions from Sen. **Hudgens**.

Sen. **Kemp** took the well to speak to a provision of the bill that would put the words “sexual offender” on driver’s licenses.

Sen. **Reed** took the well to commend the legislation and the Senate Judiciary Committee for their hard work on HB 1059.

Sen. **Thompson** of the 33rd took the well to speak to commend the legislation and speak against the engrossment of the bill.

Sen. **Adelman** took the well to commend the Senate Judiciary Committee and its Chairman and to speak in favor of the legislation.

Sen. **Hamrick** returned to the well to close the debate on the bill.

The Committee Substitute was adopted by a vote of 46 to 0.

HB 1059 passed by substitute by a vote of 53 to 1.

HB 1435 was read and Sen. **Bill Stephens** of the 27th took the well to explain the bill, which authorizes an attendant care giver to provide assistance in voting an absentee ballot.

Sen. **Butler** took the well to present Amendment 1, which would allow private non-governmental entities to receive voter registration applications.

Sen. **Stephens** took the well to speak against the amendment.

Sen. **Brown** took the well to speak in support of the amendment.

Sen. **Wiles** took the well to oppose the amendment and he yielded to questions from Sen. **Brown**.

Amendment 1 failed by a vote of 20 to 30.

HB 1435 passed by a vote 53 to 0.

Sen. **Rogers** moved that the Senate disagree to the House Substitute to SB 529, dealing with illegal immigration.

By a vote of 45 to 0, the Senate disagreed.

HB 1211 was read and Sen. **Smith** took the well to present the bill, which designates the Southern Appalachian brook trout as the official state cold water game fish. He also spoke to Amendment 1, which designates the red drum as the official state salt-water fish. He yielded to questions from Sens. **Heath, Kemp, Johnny Grant** of the 25th, **Tolleson, Thompson** of the 33rd, and **Miles**.

Lt. Gov. **Taylor** returned to the well.

Amendment 1 was adopted by a vote of 38 to 0.

HB 1211 passed as amended by a vote of 46 to 1.

Sen. **Wiles** moved that HB 1059 be immediately transmitted to the House. Without objection, the motion carried.

The Secretary then read HB 1496, which changes the term of court in Bacon, Brantley, Charlton, Coffee, Pierce and Ware counties in the Waycross Circuit and in Atkinson, Berrien, Clinch, Cook and Lanier counties in the Alapaha Judicial Circuit. Sen. **Greg Goggans** of the 7th took the well to present the bill.

HB 1496 passed by a vote of 43 to 0.

HB 1249 was read. The legislation provides that watercrafts held in inventory for resale shall be exempt from taxation for a limited period of time. Sen. **Cagle** took the well to present the legislation.

HB 1249 passed by a vote of 45 to 1.

The Secretary then read HB 1273, which changes certain provisions regarding the placement of security deposits in escrow accounts. Sen. **Meyer von Bremen** took the well to explain the legislation.

HB 1273 passed by a vote of 48 to 0.

Sen. **Thompson** of the 33rd motioned for the Secretary, under Senate Rule 10.1.2, to suspend the rules in order to read Senate Rule 8.1.13. The Secretary then read Senate Rule 8.1.13, which says that questions of privilege shall have precedence over all other questions.

Sen. **Thompson** of the 33rd took the well to address the new rule concerning motions to excuse in the Senate. He yielded to questions from Sen. **Williams**.

HB 194 was read. The bill provides for income tax credits with respect to teleworking for a limited period of time. Sen. **Cagle** took the well to explain the legislation and the Committee Substitute.

The Committee Substitute was adopted by a vote of 36 to 0.

HB 194 passed by substitute by a vote of 46 to 2.

The Secretary then read HB 1361, which changes provisions regarding minimum millage rate requirements, certain provisions relative to creation of tax allocation districts and payments in lieu of taxes to certain political subdivisions. Sen. **Cagle** took the well to explain the legislation.

HB 1361 passed by a vote of 48 to 2.

HB 239 was read. The bill provides that a party rejecting a settlement offer may be liable for litigation costs where a judgment is significantly less favorable to the rejecting party than was the settlement offer. Sen. **Smith** took the well to explain the legislation. He yielded to questions from Sens. **Unterman** and **Thompson** of the 33rd.

The Committee Substitute was adopted by a vote of 31 to 1.

HB 239 passed by substitute by a vote of 51 to 2.

The Secretary then read HB 268, which changes the compensation of district attorneys, assistant district attorneys, district attorney investigators and assistant district attorneys who temporarily substitute for a district attorney who dies or resigns during the term of office. Sen. **Smith** took the well to explain the legislation. He yielded to questions from Sens. **Thomas** of the 2nd, **Thompson** of the 33rd and **Tate**.

The Committee Substitute was adopted by a vote of 39 to 0.

HB 268 passed by substitute by a vote of 54 to 0.

HB 1083 was read. The bill changes the definition of the projects and the purposes of the Georgia Medical Center Authority. Sen. **Whitehead** took the well to explain the legislation.

HB 1083 passed by a vote of 49 to 0.

The Secretary then read HB 1168, which permits the sale of distilled spirits, malt beverages, and wines not produced for consumption on the premises at a tasting room of a winery. Sen. **Mullis** took the well to explain the bill. He yielded to questions from Sens.

Kemp, Unterman, Seth Harp of the 29th, **Thompson** of the 33rd, **Moody** and **Nancy Schaefer** of the 50th.

HB 1168 passed by a vote of 47 to 4.

Sen. **Johnson** moved that HR 1306 and HB 1313 be immediately transmitted to the House. Without objection, the motion carried.

Sen. **Johnson** motioned that HB 111 be immediately transmitted to the House. Without objection, the motion carried.

HB 1184 was read. The bill changes the name of the Herty Foundation to the Advanced Materials Development Center, moves the Center to Department of Economic Development, changes the purpose of the Center and provides for a subsidiary corporation. Sen. **Hooks** took the well to explain the bill.

The Committee Substitute was adopted by a vote of 42 to 0.

HB 1184 passed by substitute by a vote of 50 to 0.

The Secretary read HB 1216. The bill allows the use of properly equipped all-terrain vehicles by law enforcement agencies. Sen. **Joseph Carter** of the 13th took the well to explain the bill and Amendment 1, which requires vehicles to be equipped with four low pressure tires.

Amendment 1 was adopted by a vote of 43 to 0.

HB 1216 passed as amended by a vote of 49 to 0.

HB 1236 was read. The bill provides for the registration of certain motor vehicles in the county where such vehicles are functionally located. Sen. **Judson Hill** of the 32nd took the well to explain the legislation.

HB 1236 passed by a vote of 52 to 0.

Sen. **Hamrick** moved that the Senate insist on its substitute to HB 1059. Without objection, the motion carried.

The Secretary read HB 1240, which provides that the employer must provide notice to the employee within 60 days of the employee's release to return to work with restrictions or limitations. The bill also provides that an employee must submit charges within one year of the date of incurring mileage expenses or the right to collect such charges shall be deemed to be waived. HB 1240 increases the maximum death benefit to \$150,000.00 for the surviving spouse who is the sole dependent at the time of the employee's death and requires that physicians treating workers' compensation claimants comply with provisions against self-referral. Sen. **Hudgens** took the well to explain the bill.

HB 1240 passed by a vote of 52 to 0.

Sen. **Shafer** moved that the Senate adhere to its position on HB 1257 and that a Conference Committee be appointed. Without objection, the motion carried and Sens. **Hudgens, Shafer** and **Cagle** were appointed to serve on the Conference Committee.

HB 1292 was read. The bill creates a prison chaplains appreciation day. Sen. **Bulloch** took the well to explain the bill.

HB 1292 passed by a vote of 48 to 0.

The Secretary then read HB 1294, which changes certain provisions relating to non-lapsing revenue of institutions in the university system and provides for certain non-lapsing revenue of institutions under the Department of Technical and Adult Education. Sen. **Harp** took the well to explain the legislation. He yielded to questions from Sen. **Thompson** of the 33rd.

HB 1294 passed by a vote of 50 to 0.

Sen. **Hill** of the 32nd moved that HB 1325 be moved to the foot of the calendar. Without objection, the motion carried.

HB 1326 was read. The bill changes certain provisions regarding adjustment in contribution rates in the state-wide Reserve Ratio for unemployment compensation. Sen. **Hudgens** took the well to explain the legislation and urge for its support.

HB 1326 was passed by a vote of 49 to 0.

The Secretary then read HB 1404, which changes certain provisions relating to authority of the Commissioner of Agriculture to provide for safety and security at farmers' markets. Sen. **Bulloch** took the well to explain the legislation.

HB 1404 passed by a vote of 47 to 0.

HB 1405 was read. The bill requires that a worker's compensation claim be proven or documented within 36 months after a notice of claim is filed. Sen. **Hudgens** took the well to explain the legislation.

HB 1405 passed by a vote of 46 to 0.

The Secretary then read HB 1423, which changes the terms of the superior court in Gwinnett County. Sen. **Unterman** took the well to explain the bill and urge for its support.

HB 1423 passed by a vote of 44 to 0.

HB 1436 was read. The bill authorizes restaurant patrons to remove for off-premises consumption a resealed partially consumed bottle of wine that was purchased with a full-

course meal. Sen. **Balfour** took the well to explain the legislation. He yielded to questions from Sen. **Thompson** of the 33rd.

Sen. **Seabaugh** took the well to explain Amendment 1, which allows restaurant patrons to store resealed bottles in any compartment that is secured by a latch and completely closed.

Sen. **Unterman** took the well to explain Amendment 2, which allows a resident of Georgia of at least 21 years old to receive up to twenty-four cases of wine a year for personal use through the mail. She yielded to questions from Sens. **Smith**, **Steve Henson** of the 41st, **Ed Harbison** of the 15th, **Brown**, **Harp** and **Wiles**.

Sen. **Cecil Staton** of the 18th took the well to explain Amendment 2a, which lowers the requirement to twenty-four 75 milliliters bottles of wine. He yielded to Sen. **John Douglas** of the 17th and **Shafer**.

Sen. **Thompson** of the 33rd took the well to speak against Amendment 2 and 2a.

Sen. **Balfour** took the well to urge support for the bill and speak against Amendment 2 and 2a.

Sen. **Shafer** took the well to speak to Amendment 3, which replaces the word “food item” with the word “meal” in order to ensure a full meal is ordered when taking the bottle of wine off the premises.

Amendment 1 was adopted by a vote of 42 to 0.

Sen. **Staton** moved for unanimous consent to edit a typographical error in Amendment 2a, so the amendment would read “twenty-four 750 milliliter bottles.” Without objection, the motion carried.

Amendment 2a was adopted by a vote of 32 to 1.

Sen. **Unterman** moved for a roll call vote. Without objection, the motion carried.

Amendment 2 failed by a vote of 9 to 40.

Amendment 3 was adopted by a vote of 34 to 1.

The Committee Substitute was adopted by a vote of 36 to 0.

HB 1436 passed by substitute as amended by a vote of 45 to 4.

Sen. **Balfour** moved that the Senate insist on its substitute to HB 1313. Without objection, the motion carried.

The Secretary then read HB 1451, which revises definitions to the Long-term Care Partnership Program. Sen. **Goggans** took the well to explain the legislation and the Committee Substitute.

The Committee Substitute was adopted by a vote of 34 to 0.

HB 1451 passed by substitute by a vote of 47 to 0.

HB 1483 was read. The bill requires two public hearings prior to decreasing any local salary supplement when there has been an increase in the state minimum salary schedule. Sen. **Moody** took the well to explain the legislation and urge for its favorable passage. He yielded to questions Sen. **Thompson** of the 33rd.

HB 1483 passed by a vote of 49 to 0.

The Secretary then read HB 834, which provides for a tax exemption regarding the sale of liquefied petroleum gas or other fuel used for certain swine raising purposes. Sen. **Bulloch** took the well to explain the legislation. He yielded to questions from Sen. **Thompson** of the 33rd and **Miles**.

HB 834 passed by a vote of 51 to 1.

The Secretary then read HB 1542, relating to the licensure requirements of contractors. Sen. **Chip Pearson** of the 51st took the well to present the legislation.

HB 1542 passed by a vote of 51 to 0.

Sen. **Hamrick** moved that the Senate adhere to its position on HB 1059 and that a Conference Committee be appointed. Without objection, the motion carried and Sens. **Hamrick**, **Weber** and **Harp** were appointed to serve on the Conference Committee.

HB 1054 was read. The bill updates the classifications of certain controlled substances. Sen. **Don Thomas** of the 54th took the well to explain the legislation and Amendment 1. He yielded to questions from Sen. **Thompson** of the 33rd.

Sen. Thompson of the 33rd took the well to speak to Amendment 2, which would classify "Sudafed" as a prescriptive drug. He yielded to questions from Sens. **Stephens**, **Hudgens**, **Smith** and **Harp**.

Sen. **Mullis** took the well to speak against Amendment 2. He yielded to questions from Sen. **Thompson** of the 33rd.

Sen. **Harp** took the well to speak to support current legislation regulating pseudoephedrine drugs and against Amendment 2.

Sen. **Thompson** of the 33rd took the well to speak to Amendment 3, which classifies Sudafed as a Schedule III drug.

Sen. **Smith** of the 52nd took the well to speak to Amendment 1 and urged for its support. He yielded to questions from Sen. **Thompson** of the 33rd.

Majority Leader **Williams** moved the previous question.

Amendment 1 was adopted by a vote of 43 to 0.

Amendment 2 was withdrawn.

Amendment 3 failed by a vote of 20 to 29.

The Committee Substitute passed by a vote of 44 to 0.

HB 1054 passed by substitute as amended by a vote of 48 to 1.

The Secretary then read HB 801, relating to refusal to grant or restore licenses of physical therapists, discipline of licensees, and suspension, revocation or restriction of licenses. The bill also eliminates a requirement for consultation with appropriate licensed practitioners of the healing arts. Sen. **Whitehead** took the well to explain the legislation.

HB 801 passed by a vote of 47 to 0.

Sen. **Balfour** moved that the Senate adhere to its position on HB 1313 and that a Conference Committee be appointed. Without objection, the motion carried and Sens. **Wiles**, **Balfour** and **Carter** were appointed to serve on the Conference Committee

HB 1456 was read. The bill provides availability of an accident and sickness policy upon termination of dependent coverage based on the age of the dependent. The bill changes requirements as to certain individual and group policies to insure certain dependent children of the insured up to and including age 25. Sen. **Shafer** took the well to explain the legislation and supported Amendments 1 and 2. He yielded to questions from Sen. **Thomas** of the 2nd.

Sen. **Hudgens** took the well to speak to Amendments 1 and 2. Amendment 1 provides for an exemption for certain high deductible health plans in connection with a health savings account. Amendment 2 gives an ineligible dependent 45 days to find coverage upon the notification of termination. He yielded to questions from Sen. **Brown**.

Amendment 1 was adopted by a 42 to 0.

Sen. **Hudgens** moved to withdraw Amendment 2. Without objection, the motion carried.

Sen. **Hudgens** moved to reconsider the Senate's action on Amendment 1.

Sen. **Hudgens** moved to renumber Amendment 2 as Amendment 3. Without objection, the motion carried.

Amendment 3 was adopted by a vote of 32 to 2.

The Committee Substitute was adopted by a vote of 38 to 0.

HB 1456 passed by substitute as amended by a vote of 49 to 0.

Sen. **Hill** of the 4th took the well to speak to the status of the 2007 fiscal year budget.

The Secretary then read HB 1252, which provides for definitions for driver training schools. Sen. **Kemp** took the well to explain the legislation. He yielded to questions from Sen. **Smith**.

HB 1252 passed by a vote of 49 to 0.

HB 1244 was read. The bill changes certain provisions regarding exemptions of sales by duly licensed bulk distributors with respect to public mass transit bases to include vans used in mass transit. Sen. **Rogers** took the well to explain the legislation.

The Committee Substitute was adopted by a vote 36 to 1.

HB 1244 passed by substitute by a vote of 49 to 1.

The Secretary then read HB 1282, relating to the recording of deeds and other instruments. Sen. **Henson** took the well to present the legislation.

HB 1282 passed by a vote of 46 to 2.

SR 1170 was read. The resolution urges the Governor to continue his pursuit of the National Bio and Agro-Defense Facility for Georgia and expressing the Senate's support of his efforts. Sen. **Kemp** took the well to explain the legislation.

SR 1170 was adopted by a vote of 47 to 1.

Majority Leader **Williams** moved that the Senate stand adjourned until Monday, March 27, at 10:00 a.m. Following the announcements, the Senate then adjourned.

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